

**A CERTIFIED TRUE COPY**

ATTEST

By Denise Morgan-Stone on Jan 05, 2009

FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**Dec 16, 2008**

FILED  
CLERK'S OFFICE

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-7)**

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 58 additional actions have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

**Jan 05, 2009**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION**

MDL No. 1968

**SCHEDULE CTO-7 - TAG-ALONG ACTIONS**

**DIST. DIV. C.A. #**

**CASE CAPTION**

IOWA NORTHERN  
IAN 6 08-2072

Susan R. Flynn, etc. v. Actavis Totowa, LLC, et al.

MARYLAND  
MD 1 08-3144

Arthur H. Robertson, et al. v. Actavis Totowa, LLC, et al.

NEW JERSEY  
NJ 2 08-5842

Lois Brewer v. Actavis Totowa, LLC, et al.

TEXAS EASTERN  
TXE 2 08-451  
TXE 6 08-463

Peggy A. Byassee, et al. v. Actavis Totowa, LLC, et al.  
Geoffrey M. Head v. Actavis Group hf, et al.